

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

**JOE BELL; RICKY BRATCHER; BILLY RAY
BROWN; CLARKE DENTON; TONY DENTON;
CHARLES DUBOSE; ROGER EASTERLING;
CHRIS FORTENBERRY; ANGIE GAINEY;
BRENDA GUY; LARRY HARRELL; JAMES
M^cINTOSH; RONNIE MILEY; HAROLD
NELSON; WESLEY ODOM; BILLY JOE
POWELL; CHARLES RAWSON; EDWARD
G. SADOWSKI; MARY SESSUMS; C. H.
THAMES; KEITH WARE; and JOE MASSEY**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:08-cv-00697 WHB/LRA

KOCH FOODS OF MISSISSIPPI, LLC

DEFENDANT

**KOCH FOODS OF MISSISSIPPI, LLC'S MOTION TO STAY PROCEEDINGS
AND COMPEL ARBITRATION**

For the reasons stated in the accompanying Memorandum of Authorities, Defendant Koch Foods of Mississippi, LLC respectfully requests that this Court stay all proceedings in this action and compel the Plaintiffs to submit their claims to arbitration where the arbitrators will determine the extent to which Plaintiffs' claims are subject to the arbitration clause.

THIS the 29th day of December, 2008.

Respectfully submitted,

KOCH FOODS OF MISSISSIPPI, LLC

By Its Attorneys,
BAKER, DONELSON, BEARMAN, CALDWELL
& BERKOWITZ, P.C.

By: /s/Scott W. Pedigo

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CERTIFICATE OF SERVICE

I certify that on December 29, 2008, I electronically filed the foregoing *Koch Foods of Mississippi, LLC's Motion to Stay Proceedings and Compel Arbitration* with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

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